United Nations S/2012/206

Security Council

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10 April 2012

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Letter dated 10 April 2012 from the Secretary-General addressed to the President of the Security Council

I have the honour to attach herewith a letter dated 10 April 2012 from Kofi Annan, Joint Special Envoy of the United Nations and the League of Arab States on the Syrian crisis (see annex).

I would be grateful if you could bring the present letter and its annex to the attention of the members of the Security Council as a matter of urgency.

(*Signed*) **BAN** Ki-moon

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Annex

I would like to update the Security Council on my mission as Joint Special Envoy of the United Nations and the League of Arab States on the Syrian crisis. I do so in the context of the 10 and 12 April timeline. We enter a critical moment in the implementation of the six-point plan, and I am gravely concerned at the course of events.

As I reported to the Security Council on 2 April, the Syrian Government had informed me the previous day that it would implement a plan for withdrawing its military units from populated zones and surrounding areas to take effect from 1 to 10 April 2012, with no new deployments to population centres. I subsequently relayed to all sides that upon the completion by the Government of its commitments under item 2 of the plan by Tuesday, 10 April, all parties should immediately cease all forms of violence, so that a complete cessation is in place by 0600 hours Damascus time on Thursday, 12 April. I appreciated the Council's support for this timeline in its presidential statement of 5 April, further to its support for the six-point plan in its presidential statement of 21 March.

In this regard, the days before 10 April should have been an opportunity for the Government to send a powerful political signal of peace, with action on all aspects of the six-point plan, in particular through the urgent and visible implementation of its commitments under item 2 of the plan, namely, to cease troop movements towards population centres, to cease all use of heavy weapons in such centres and to begin the pullback of military concentrations in and around population centres. In the past five days it has become clear that such a signal has yet to be issued.

With respect to humanitarian access, discussions are ongoing regarding an expansion of humanitarian access and capacity to reach the estimated 1 million people in need of humanitarian assistance. Following participation in the Government-led humanitarian assessment mission in March, the United Nations, in coordination with the Syrian Arab Red Crescent, is now delivering assistance to displaced persons in Tartous governorate.

With respect to detainees, on 5 April the International Committee of the Red Cross announced that they had agreed to procedures with the Government for visits to places of detention, including an immediate visit to Aleppo Central Prison. In a letter dated 8 April, the Government informed me of the release of 97 people detained for participating in opposition activities. The Government has also informed me of the pardon of 211 individuals who had surrendered.

With respect to journalists, the Syrian Government has sent me a letter, informing me of the attribution of visas to journalists from 21 international news organizations.

With respect to the military provisions of the six-point plan, the Syrian Government has underlined security issues in several letters detailing actions by armed groups against Government forces, civilians and property. As for its own commitments, it has informed me of some military movements. According to the communications addressed to me, Syrian armed forces withdrew some units from the city of Idlib, the Zabadani area as well as from positions in the governorates of Dar'a on 5 and 6 April and from Dayr az Zawr on 7 and 8 April.

Despite these assurances from the Syrian Government, credible reports indicate that during that same period, Syrian armed forces conducted rolling military operations, characterized by troop movements, supported by artillery fire, in population centres. While some troops and heavy weapons have been withdrawn from some localities, this appears to be often limited to a repositioning of heavy weapons that keeps cities within firing range. Furthermore, several new localities also appear to have been subject to military operations, including the use of heavy weapons on population centres.

While the absence of United Nations observers makes it difficult to fully ascertain the situation on the ground, the rapid increase of refugee flows into Turkey gives a strong indication of a surge in violence. Between 15 December 2011 and 31 March 2012, the average rate of refugees entering Turkey was 96 persons per day. By contrast, the average rate of incoming refugees in the past nine days has been 707 persons per day. The spike is unquestionable, and of the greatest concern, given the implications for the situation inside the country.

Finally, in a letter dated 8 April, the Syrian Government introduced new conditions for any full implementation of the plan: (a) written assurances that armed opposition groups are prepared to cease all violence; (b) immediate disarmament of armed groups; and (c) a commitment by regional countries that they would not finance or arm opposition groups.

These new Syrian requests constitute ex post facto requirements that are not part of the six-point plan that they agreed to implement. This puts at risk the cessation of violence in all its forms, which is so urgently needed and which must take place at 0600 on 12 April. I have, however, been advised by Foreign Minister Lavrov, following his meeting with Foreign Minister Al-Moallem, that the Syrian Government is no longer insisting on written guarantees, but would need me to assure that the other parties and Governments also accept the plan.

I remain of the view that every effort must be made to achieve a cessation of violence in all its forms on 12 April at 0600. We have been in close contact with the leaderships of the Syrian National Council, the Free Syrian Army, local coordination committees and other groups. We have engaged the whole spectrum of the opposition to explain what is required of them alongside the Government's implementation of its obligations. Members of the opposition have indicated to us, and publicly, that they would observe a cessation of all forms of violence provided that Syrian forces withdraw from cities.

Meanwhile, the United Nations team led by General Mood has worked closely with Syrian military authorities to start technical preparations for the potential deployment of observers to supervise and monitor a cessation of armed violence. Progress on technical issues appears to have been made but substantive differences have emerged. General Mood is returning to Geneva to report on his mission, and I should be in a position to provide the Security Council with more information on 12 April.

If the required political will is present and the implementation of the six-point plan can proceed as agreed, the cessation of violence on 12 April will need to be followed in short order by the deployment of an effective international monitoring mechanism. This will require quick action from the Security Council. This could

then create the necessary conditions for an inclusive political solution that meets the democratic aspirations of the Syrian people.

But recent events are deeply concerning. The prevailing security and human rights situation is unacceptable. This crisis has lasted for more than one year, has produced an intolerably heavy death toll and is now triggering increased flows of refugees throughout the region. Earlier this morning, I saw with my own eyes the devastating impact of the crisis in a refugee camp in Turkey, close to the Syrian border. The scale of the suffering of the Syrian people is clear. A cessation of violence is urgent.

The Syrian leadership should now seize the opportunity to make a fundamental change of course. It is essential that the next 48 hours bring visible signs of immediate and indisputable change in the military posture of the Government forces throughout the country, as called upon by the six-point plan, and that items (a), (b) and (c) of paragraph 2 of the six-point plan be fully implemented, in order to enable a cessation of armed violence on 12 April. We also urge the opposition to fulfil their commitments to the six-point plan and to give no excuse for the Government to renege on its commitments. The clear declarations coming from the opposition are encouraging in this respect.

I have been in constant contact with countries with influence. I appreciate the support they have given to the six-point plan and to my efforts. The unity of the international community, and in particular of the Security Council, is of vital importance to finding a political solution to the Syrian crisis. At this critical moment, I would be grateful if a united Council could register its deep concern at the state of the implementation of the Syrian Government's immediate obligations and impress upon the parties the importance of meeting the deadline of 12 April. The cessation of violence in all its forms is a first but essential step. It must not be delayed by new conditions. Violence must stop now.

On 12 April I hope to be able to give a more detailed assessment of the situation on the ground.

(*Signed*) Kofi A. **Annan**
Joint Special Envoy of the United Nations
and the League of Arab States on the Syrian crisis

United Nations S/2012/207

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Letter dated 9 April 2012 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General

In preparation for the Security Council briefing on nuclear non-proliferation, disarmament and security on 9 April 2012 and in reference to the letter dated 3 April 2012 from the Republic of Korea, I have the honour to forward to you a copy of the 2010 Communiqué and workplan of the Washington, D.C., Nuclear Security Summit (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Susan E. **Rice**

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Annex to the letter dated 9 April 2012 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General

13 April 2010

Communiqué of the Washington Nuclear Security Summit

Nuclear terrorism is one of the most challenging threats to international security, and strong nuclear security measures are the most effective means to prevent terrorists, criminals, or other unauthorized actors from acquiring nuclear materials.

In addition to our shared goals of nuclear disarmament, nuclear non-proliferation and peaceful uses of nuclear energy, we also all share the objective of nuclear security. Therefore those gathered here in Washington, D.C., on 13 April 2010, commit to strengthen nuclear security and reduce the threat of nuclear terrorism. Success will require responsible national actions and sustained and effective international cooperation.

We welcome and join President Obama's call to secure all vulnerable nuclear material in four years, as we work together to enhance nuclear security.

Therefore, we:

1. Reaffirm the fundamental responsibility of States, consistent with their respective international obligations, to maintain effective security of all nuclear materials, which includes nuclear materials used in nuclear weapons, and nuclear facilities under their control; to prevent non-State actors from obtaining the information or technology required to use such material for malicious purposes; and emphasize the importance of robust national legislative and regulatory frameworks for nuclear security;

2. Call on States to work cooperatively as an international community to advance nuclear security, requesting and providing assistance as necessary;

3. Recognize that highly enriched uranium and separated plutonium require special precautions and agree to promote measures to secure, account for, and consolidate these materials, as appropriate; and encourage the conversion of reactors from highly enriched to low enriched uranium fuel and minimization of use of highly enriched uranium, where technically and economically feasible;

4. Endeavour to fully implement all existing nuclear security commitments and work towards acceding to those not yet joined, consistent with national laws, policies and procedures;

5. Support the objectives of international nuclear security instruments, including the Convention on the Physical Protection of Nuclear Material, as amended, and the International Convention for the Suppression of Acts of Nuclear Terrorism, as essential elements of the global nuclear security architecture;

6. Reaffirm the essential role of the International Atomic Energy Agency in the international nuclear security framework and will work to ensure that it continues to have the appropriate structure, resources and expertise needed to carry

out its mandated nuclear security activities in accordance with its Statute, relevant General Conference resolutions and its Nuclear Security Plans;

7. Recognize the role and contributions of the United Nations as well as the contributions of the Global Initiative to Combat Nuclear Terrorism and the G8-led Global Partnership against the Spread of Weapons and Materials of Mass Destruction within their respective mandates and memberships;

8. Acknowledge the need for capacity-building for nuclear security and cooperation at bilateral, regional and multilateral levels for the promotion of nuclear security culture through technology development, human resource development, education, and training; and stress the importance of optimizing international cooperation and coordination of assistance;

9. Recognize the need for cooperation among States to effectively prevent and respond to incidents of illicit nuclear trafficking; and agree to share, subject to respective national laws and procedures, information and expertise through bilateral and multilateral mechanisms in relevant areas such as nuclear detection, forensics, law enforcement, and the development of new technologies;

10. Recognize the continuing role of nuclear industry, including the private sector, in nuclear security and will work with industry to ensure the necessary priority of physical protection, material accountancy, and security culture;

11. Support the implementation of strong nuclear security practices that will not infringe upon the rights of States to develop and utilize nuclear energy for peaceful purposes and technology and will facilitate international cooperation in the field of nuclear security; and

12. Recognize that measures contributing to nuclear material security have value in relation to the security of radioactive substances and encourage efforts to secure those materials as well.

Maintaining effective nuclear security will require continuous national efforts facilitated by international cooperation and undertaken on a voluntary basis by States. We will promote the strengthening of global nuclear security through dialogue and cooperation with all States.

Thus, we issue the workplan as guidance for national and international action including through cooperation within the context of relevant international forums and organizations. We will hold the next Nuclear Security Summit in the Republic of Korea in 2012.

13 April 2010

Workplan of the Washington Nuclear Security Summit

This workplan supports the Communiqué of the Washington Nuclear Security Summit. It constitutes a political commitment by the participating States to carry out, on a voluntary basis, applicable portions of this workplan, consistent with respective national laws and international obligations, in all aspects of the storage, use, transportation and disposal of nuclear materials and in preventing non-State actors from obtaining the information required to use such material for malicious purposes.

Recognizing the importance of the International Convention for the Suppression of Acts of Nuclear Terrorism as an important legally binding multilateral instrument addressing threats posed by acts of nuclear terrorism:

1. Participating States parties to the Convention will work together to achieve universality of the Convention, as soon as possible;

2. Participating States parties to the Convention will assist States, as appropriate and upon their request, to implement the Convention; and

3. Participating States parties to the Convention encourage discussions among States parties to consider measures to ensure its effective implementation, as called for in article 20 of the Convention.

Recognizing the importance of the Convention on the Physical Protection of Nuclear Material, as the only multilateral legally binding agreement dealing with the physical protection of nuclear material in peaceful uses, and the value of the 2005 Amendment to the Convention in strengthening global security:

1. Participating States parties to the Convention will work towards its universal adherence and where applicable, to accelerate the ratification processes of the Amendment to the Convention and to act for early implementation of that Amendment;

2. Participating States parties to the Convention call on all States to act in accordance with the object and purpose of the Amendment until such time as it enters into force; and

3. Participating States parties to the Convention will assist States, as appropriate and upon their request, to implement the Convention and the Amendment.

Noting the need to fully implement United Nations Security Council resolution 1540 (2004) on preventing non-State actors from obtaining weapons of mass destruction, their means of delivery and related materials, in particular as it relates to nuclear material:

1. Participating States support the continued dialogue between the Security Council Committee established pursuant to resolution 1540 (2004) and States and support strengthened international cooperation in this regard, in accordance with relevant United Nations resolutions and within the framework of the United Nations Global Counter-Terrorism Strategy;

2. Participating States support the activities of the Security Council Committee established pursuant to resolution 1540 (2004) to promote full implementation;

3. Participating States recognize the importance of complete and timely reporting as called for by resolution 1540 (2004), and will work with other States to do so, including by providing technical support or assistance, as requested;

4. Participating States note the outcome of comprehensive review by the Security Council Committee established pursuant to resolution 1540 (2004), including the consideration of the establishment of a voluntary fund, and express their support for ensuring the effective and sustainable support for the activities of the Committee;

5. With respect to the nuclear security-related aspects of paragraph 3, sections (a) and (b) of resolution 1540 (2004), participating States recognize the importance of evaluating and improving their physical protection systems to ensure that they are capable of achieving the objectives set out in relevant International Atomic Energy Agency (IAEA) nuclear security series documents and as contained in the document "Physical protection of nuclear material and nuclear facilities" (INFCIRC/225); and

6. Participating States in a position to do so are encouraged to provide technical assistance to those States that request it through appropriate mechanisms, including through the Committee's efforts to match needs with available resources.

Welcoming IAEA activities in support of national efforts to enhance nuclear security worldwide and commending the work of IAEA for the provision of assistance, upon request, through its Nuclear Security Programme and for the implementation of the Nuclear Security Plan 2010-2013, approved by the Board of Governors in September 2009 and noted by the IAEA General Conference, and welcoming IAEA programs to advance new technologies to improve nuclear security and nuclear materials accountancy.

Recognizing that IAEA is facilitating the development by member States, in the framework of the nuclear security series, of guidance and recommendations relating to the prevention and detection of, and response to, theft, sabotage, unauthorized access and illegal transfer, or other malicious acts involving, inter alia, nuclear material, and associated facilities, and is providing guidance in developing and implementing effective nuclear security measures.

Noting that pursuit of the objectives of this workplan will not be interpreted so as to alter the mandate or responsibilities of IAEA:

1. Participating States note that the IAEA nuclear security series of documents provides recommendations and guidance to assist States in a wide range of aspects of nuclear security, and encourage the widest possible participation by all its member States in the process;

2. Participating States in a position to do so will work actively with IAEA towards the completion and implementation, as appropriate, of the

guidance provided by the nuclear security series, and to assist, upon request, other States in doing so;

3. Participating States in particular welcome and support IAEA's efforts to finalize the fifth revision of the recommendations contained in INFCIRC/225, which will be published in the nuclear security series;

4. Participating States recognize the importance of nuclear material accountancy in support of nuclear security and look forward to the completion of the technical guidance document on "Nuclear material accountancy systems at facilities";

5. Participating States will endeavour to incorporate, as appropriate, the relevant principles set out in the nuclear security series documents, into the planning, construction, and operation of nuclear facilities;

6. Participating States, when implementing their national nuclear security measures, will support the use of the IAEA Implementing Guide on the Development, Use and Maintenance of the Design Basis Threat to elaborate their national design basis threat as appropriate, to include the consideration of outsider and insider threats;

7. Participating States welcome the IAEA's efforts to assist States to develop, upon request, integrated nuclear security support plans to consolidate their nuclear security needs into integrated plans for nuclear security improvements and assistance;

8. Participating States recognize the value of IAEA support mechanisms such as the international physical protection advisory service missions to review, as requested, their physical protection systems for civilian nuclear material and facilities; and

9. Participating States call upon all member States of IAEA in a position to do so to provide the necessary support to enable IAEA to implement these important activities.

Noting the contributions to the promotion of nuclear security by the United Nations and initiatives such as the Global Initiative to Combat Nuclear Terrorism, the G8 Global Partnership against the Spread of Weapons and Materials of Mass Destruction, as well as other bilateral, regional, multilateral, and non-governmental activities within their respective mandates and memberships:

1. Participating States will work together, as appropriate, to ensure that nuclear security cooperation mechanisms are complementary, reinforcing, efficient, consistent with related IAEA activities, and appropriately matched to identified needs in those States requesting assistance;

2. Participating States encourage, where appropriate, expanded participation in and commitment to international initiatives and voluntary cooperative mechanisms aimed at improving nuclear security and preventing nuclear terrorism; and

3. Participating States welcome the intent of the members of the G8 Global Partnership, in a position to do so, to undertake additional programming to enhance nuclear security.

Recognizing States' rights to develop and use nuclear energy for peaceful purposes, and noting the responsibility of each State for the use and management of all nuclear materials and facilities under its jurisdiction and recognize that highly enriched uranium and separated plutonium are particularly sensitive and require special precautions:

1. Participating States will consider, where appropriate, the consolidation of national sites where nuclear material is held;

2. Participating States will continue to exercise particular care in ensuring the safe and secure transport of nuclear materials, both in domestic and international transport;

3. Participating States, where appropriate, will consider on a national basis the safe, secure and timely removal and disposition of nuclear materials from facilities no longer using them;

4. Participating States will continue to exercise particular care in securing and accounting for separated plutonium, taking into consideration the potential of various forms for use in a nuclear explosive device;

5. Participating States will consider, where appropriate, converting highly-enriched-uranium fuelled research reactors, and other nuclear facilities using highly enriched uranium, to use low enriched uranium, where it is technically and economically feasible;

6. Participating States, as appropriate, will collaborate to research and develop new technologies that require neither highly enriched uranium fuels for reactor operation nor highly enriched uranium targets for producing medical or other isotopes, and will encourage the use of low enriched uranium and other proliferation-resistant technologies and fuels in various commercial applications such as isotope production;

7. Participating States in a position to do so will provide assistance to those States requesting assistance to secure, account for, consolidate, and convert nuclear materials; and

8. Participating States will consider how to best address the security of radioactive sources, as well as consider further steps as appropriate.

Mindful of the responsibilities of every participating State to maintain effective nuclear security and a robust domestic regulatory capacity:

1. Participating States will establish and maintain effective national nuclear security regulations, including the periodic review and adjustment of the regulations as the State considers appropriate;

2. Participating States undertake to maximize regulatory independence, consistent with each State's particular legal and institutional structures;

3. Participating States will undertake to build regulatory capacity and ensure sufficiently trained and fully vetted professional nuclear security staff and adequate resources, taking into account current needs and future expansion of their respective nuclear programs; and

4. Participating States will pursue the review and enforcement of compliance with national nuclear security regulations as a matter of priority.

Understanding the role of the nuclear industry, including the private sector, in nuclear security and recognizing that national governments are responsible for standard setting within each State:

1. Participating States will work, in guiding the nuclear industry, to promote and sustain strong nuclear security culture and corporate commitment to implement robust security practices, including regular exercises and performance testing of nuclear security features, consistent with national regulations;

2. Consistent with State requirements, participating States will facilitate exchange of best practices, where legally and practically feasible, in nuclear security in the nuclear industry, and in this respect, will utilize relevant institutions to support such exchanges; and

3. Participating States encourage nuclear operators and architect/engineering firms to take into account and incorporate, where appropriate, effective measures of physical protection and security culture into the planning, construction, and operation of civilian nuclear facilities and provide technical assistance, upon request, to other States in doing so.

Emphasizing the importance of the human dimension of nuclear security, the need to enhance security culture, and the need to maintain a well-trained cadre of technical experts:

1. Participating States will promote cooperation, as appropriate, among international organizations, governments, industries, other stakeholders, and academia for effective capacity-building, including human resources development in nuclear security programs;

2. Participating States will encourage the creation of and networking among nuclear security support centres for capacity-building to disseminate and share best practices and will support IAEA activities in this area;

3. Participating States encourage the creation of adequate national nuclear security capacities, and encourage supplier countries and technology suppliers to support those capacities in the recipient countries, including human resources development through education and training, upon request and consistent with each State's particular legal and institutional structures;

4. Participating States will encourage an integrated approach to education and training and institutional capacity-building by all stakeholders having a key role in establishing and maintaining adequate security infrastructure; and

5. Participating States will encourage the implementation of national measures to ensure the proper management of sensitive information in order to prevent illicit acquisition or use of nuclear material, and, where appropriate, will support bilateral and multilateral capacity-building projects, upon request.

Underscoring the value of exchanging accurate and verified information, without prejudice to confidentiality provisions, to detect, prevent, suppress, investigate, and prosecute acts or attempted acts of illicit nuclear trafficking and nuclear terrorism:

1. Participating States will strive to improve their national criminal laws, as needed, to ensure that they have the adequate authority to prosecute all types of cases of illicit nuclear trafficking and nuclear terrorism and commit to prosecuting these crimes to the full extent of the law;

2. Participating States are encouraged to develop and apply mechanisms to expand sharing of information on issues, challenges, risks and solutions related to nuclear security, nuclear terrorism and illicit nuclear trafficking in a comprehensive and timely manner; and

3. Participating States are encouraged to develop methods and mechanisms, where appropriate, to enhance bilateral and multilateral collaboration in sharing urgent and relevant information on nuclear security and incidents involving illicit nuclear trafficking.

Noting the IAEA's and participating States' work in the field of nuclear detection and nuclear forensics, aimed at assisting States in connection with the detection of and response to illicitly trafficked nuclear material, and determination of its origin, and recognizing the importance of respecting provisions on confidentiality of information:

1. Participating States will consider taking further steps, nationally, bilaterally or multilaterally, to enhance their technical capabilities, including the appropriate use of new and innovative technologies, to prevent and combat illicit nuclear trafficking;

2. Participating States will explore ways to work together to develop national capacities for nuclear forensics, such as the creation of national libraries and an international directory of points of contact, to facilitate and encourage cooperation between States in combating illicit nuclear trafficking, including relevant IAEA activities in this area; and

3. Participating States will explore ways to enhance broader cooperation among local, national and international customs and law enforcement bodies to prevent illicit nuclear trafficking and acts of nuclear terrorism, including through joint exercises and sharing of best practices.

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Security Council

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Security Council
Sixty-seventh year

Letter dated 10 April 2012 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

We are extremely concerned about the intensification of violence and human rights violations in Syria.

It is being observed that the Syrian armed forces have recently shifted their military actions to people in the areas close to our common border, leading to a rapid increase in the number of Syrians crossing the border in search of refuge in Turkey. Over the last week alone, 6,000 Syrians have arrived in Turkey in addition to the existing thousands. The total number of Syrians who are currently accommodated in Turkish camps along the border has surpassed 25,000.

I should like to bring the two most recent incidents to your kind attention. On 9 April 2012, 21 wounded Syrian citizens fleeing these attacks crossed over to Turkish territory. Two of them lost their lives shortly after their arrival. On the same date, as a result of cross-border gunfire from Syria, two Syrian nationals who took shelter in the Kilis container town and two Turkish citizens working there were injured. We strongly condemn this abominable act.

These incidents took place at a time when the Syrian Government is expected to cease all military actions against civilians and fulfil all its commitments made through the Joint Special Envoy of the United Nations and the League of Arab States on the Syrian Crisis, Kofi Annan.

The international community must act immediately to ensure that violence against the civilian population comes to end.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 34, and of the Security Council.

(*Signed*) Ertuğrul **Apakan**
Ambassador
Permanent Representative

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